

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DONALD H. GARDNER,

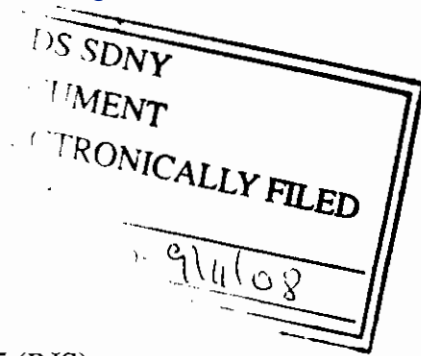
Plaintiff,

-v-

RAMON AYALA-RODRIGUEZ, *et al.*,

Defendants.

No. 07 Civ. 6535 (RJS)  
ORDER




RICHARD J. SULLIVAN, District Judge:

It having been reported to the Court that this action has been resolved,

IT IS HEREBY ORDERED that this action is discontinued with prejudice but without costs; provided, however, that if settlement is not consummated within thirty days of the date of this Order, any party may apply by letter within the thirty day period for restoration of this action to the calendar of the undersigned, in which event the action will be restored.

SO ORDERED.

DATED: September 10, 2008  
New York, New York



RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE